

**SAMPLE FORM A**

**NOTICE OF APPEAL**

## NOTICE OF APPEAL - INSTRUCTIONS

In order to appeal you must be "aggrieved." To be "aggrieved" the lower court or administrative agency must have entered a judgment or order that affects your legal rights or costs you money. Usually you must have been a party in the case in the lower court. You may not appeal on behalf of a spouse, child or other relative (unless you are a legally appointed guardian), or a friend. The notice of appeal is filed in the superior court and should be accompanied by a check, money order or cash of \$775.00 which is the filing fee. Checks or money orders should be made payable to "Clerk, Court of Appeal." A second check or money order for \$100.00 made payable to "Clerk of the Superior Court" is a deposit for the clerk's transcript. This second check need not be included if you, as appellant, plan to prepare an appendix under CRC rule 8.124. If you do not have the money for the filing fee, an application for waiver of court fees and costs must accompany the notice of appeal. (See [Sample Form D](#), for Application for Waiver of Court Fees and Costs.)

The Notice of Appeal form is available online in Adobe Acrobat PDF format and may be filled out electronically for free at <http://www.courts.ca.gov/forms>. Select "Appellate" forms, then click on Form [APP-002](#).

### Filling out the Notice of Appeal form:

#### Caption

- (1) In the "Attorney or Party Without Attorney" area at the top of the form, fill out your name, mailing address, and telephone number where you can be reached during the day. If you have chosen to file your documents electronically, you must include your e-mail address in this section. You may also include a fax number if you have one.
- (2) In the "Superior Court of California, County of" area of the form, specify the county, address, and branch name of the superior court that made the order or judgment you are appealing.
- (3) In the next box on the form marked "PLAINTIFF/PETITIONER" and "DEFENDANT/RESPONDENT" fill out the plaintiff's name and defendant's name as they appear in the superior court case caption.
- (4) Check the appropriate box for "Notice of Appeal" or "Notice of Cross-Appeal."
- (5) In the "CASE NUMBER:" box immediately to the right, write the superior court case number.

**Entry 1.** State the date of the judgment or order you are appealing and check the appropriate box to describe the order or judgment. If it is not listed, check the "Other" box, describe the order you are appealing, and specify the code section that authorizes the appeal.

**Entry 2.** Provide the requested information only if you are filing a cross-appeal.

Execution of Form. Write the date you are signing the Notice of Appeal, type or print your name legibly on the line at the bottom left of the page, and sign your name at the bottom right.

**Proof of Service**

The Notice of Appeal must be served on the other party or parties to the appeal. If the document is served by mail or personal delivery, have someone over the age of 18 who is not a party to the action serve the document and fill out form [APP-009](#). If you are serving the document by e-mail, you can do it yourself and fill out form [APP-009E](#). See instructions accompanying [Sample Form C](#).

<b>Serve:</b>	All counsel All self-represented parties
<b>File:</b>	Original, plus fees, plus completed Proof of Service in Superior Court